

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 93-20027

JAMES ERWIN, JR.,

Defendant.

ORDER DENYING DEFENDANT'S REQUEST TO REMIT FINE

On February 3, 2014, the court received a letter from Defendant James Erwin, Jr., pro se, requesting that the court waive the remainder of the fine imposed as a result of his conviction for possession with intent to distribute cocaine. In his letter, Defendant declares that he is employed, that he has not committed any further crimes since being released from prison and that, due to illness, he is undergoing financial hardship. The court construes Defendant's letter as a motion to remit the balance due on his fine.

If the government so petitions, "the court may, in the interest of justice. . . remit all or part of the unpaid portion of the fine or special assessment, including interest and penalties." 18 U.S.C. § 3573(1). The government opposes Defendant's request, and states that Defendant has paid \$7,620 of the \$17,500 fine imposed by the court. In any event, the government also represents that Defendant's fine will lapse "of its own accord in the next four months" pursuant to 18 U.S.C. § 3613(b). Finding no basis to grant Defendant's motion,

IT IS ORDERED that Defendant's "Request to Remit Fine" [Dkt. # 109] is
DENIED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 24, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 24, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522